

# MEMORANDUM

COSHAC  
Agenda Item No. 2(G) Alt No.2

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

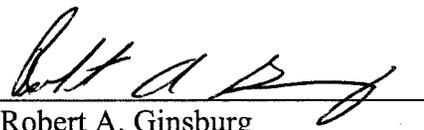
**DATE:** January 12, 2005

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution calling Special Election to submit question to electors whether to amend Home Rule Charter so that County Commissioners no longer receive the \$6,000 annual salary but receive salary established by ordinance of the County Commission after receiving recommendations from a Citizens Advisory Board

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The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Dennis C. Moss.

  
Robert A. Ginsburg  
County Attorney

RAG/jls



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** January 20, 2005

**FROM:**   
Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No.

Please note any items checked.

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**"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**

**6 weeks required between first reading and public hearing**

**4 weeks notification to municipal officials required prior to public hearing**

**Decreases revenues or increases expenditures without balancing budget**

**Budget required**

**Statement of fiscal impact required**

**Bid waiver requiring County Manager's written recommendation**

**Ordinance creating a new board requires detailed County Manager's report for public hearing**

**Housekeeping item (no policy decision required)**

**No committee review**

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Not On  
Agenda Item No.  
1-20-05

RESOLUTION NO. \_\_\_\_\_

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, \_\_\_\_\_, 2005 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE MIAMI-DADE COUNTY HOME RULE CHARTER SO THAT COMMISSIONERS NO LONGER RECEIVE THE \$6,000 ANNUAL SALARY ESTABLISHED IN 1957, BUT SHALL RECEIVE INSTEAD AN ANNUAL SALARY ESTABLISHED BY ORDINANCE OF THE COUNTY COMMISSION, AFTER RECEIVING SALARY RECOMMENDATIONS FROM A CITIZENS ADVISORY BOARD CREATED BY THE COUNTY COMMISSION, AND FOLLOWING PUBLIC HEARING BY THE COUNTY COMMISSION

**WHEREAS,** Miami-Dade County established an annual salary of \$6,000 for County Commissioners in 1957, when the Miami-Dade County Home Rule Charter was adopted; and

**WHEREAS,** the demands of the position of County Commissioner have grown drastically, but the salary has remained the same; and

**WHEREAS,** Miami-Dade County is the most populous county in the State of Florida with a population of 2.3 million residents and with a budget in excess of Six (6) billion dollars; and

**WHEREAS,** the current level of compensation to County Commissioners would not provide County Commissioners a minimum wage as an hourly wage, assuming Commissioners worked a forty (40) hour work week; and

**WHEREAS**, the County Commission would benefit from the advice of civic-minded residents of the County regarding the appropriate salary level for County Commissioners; and

**WHEREAS**, the United States Congress sets the salaries of Congresspersons, and the County Commission establishes the salary of the Mayor of Miami-Dade County and makes other expenditures of County funds in accordance with the interest of the public,

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

**Section 1.** A Countywide special election is hereby called and shall be held in Miami-Dade County, Florida on Tuesday, \_\_\_\_\_, 2005 for the purpose of submitting to the qualified electors of Miami-Dade County the question of whether to amend the Miami-Dade County Home Rule Charter so that Commissioners no longer receive the \$6,000 annual salary established in 1957, but shall receive instead an annual salary established by ordinance of the County Commission, after receiving salary recommendations from a citizens advisory board created by the County Commission, and following public hearing before the County Commission.

**Section 2.** The question shall appear on the ballot in substantially the following form:

**MIAMI-DADE HOME RULE CHARTER AMENDMENT RELATING TO  
SALARY OF COUNTY COMMISSIONERS**

SHALL THE CHARTER BE AMENDED TO PROVIDE THAT COUNTY COMMISSIONERS NO LONGER RECEIVE THE \$6,000 ANNUAL SALARY ESTABLISHED IN 1957, BUT RECEIVE INSTEAD AN ANNUAL SALARY ESTABLISHED BY ORDINANCE OF THE COUNTY COMMISSION, AFTER RECEIVING SALARY RECOMMENDATIONS FROM A CITIZENS ADVISORY BOARD CREATED BY THE COUNTY COMMISSION, AND FOLLOWING PUBLIC HEARING BY THE COUNTY COMMISSION?

YES

NO

**Section 3.** Such question shall appear on the ballot as a separate question or proposal.

Those qualified electors desiring to adopt or approve such proposal shall be instructed to vote "YES." Those qualified electors desiring to reject or disapprove the proposal shall be instructed to vote "NO."

**Section 4.** This special election shall be held and conducted in accordance with applicable provisions of the general laws of the State of Florida and the provisions of the Miami-Dade County Home Rule Charter and Code.

The foregoing resolution was sponsored by Commissioner Dennis C. Moss, and offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

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Joe A. Martinez, Chairman  
Dennis C. Moss, Vice-Chairman

Bruno A. Barreiro  
Jose "Pepe" Diaz  
Sally A. Heyman  
Dorin D. Rolle  
Katy Sorenson  
Sen. Javier D. Souto

Dr. Barbara Carey-Shuler  
Carlos A. Gimenez  
Barbara J. Jordan  
Natacha Seijas  
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of January, 2005. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Cynthia Johnson-Stacks

ARTICLE-1<sup>1</sup>

**BOARD OF COUNTY COMMISSIONERS**

\* \* \*

**Section 1.06. Salary.**

Each County Commissioner shall receive a salary ~~[[of \$6,000 per year payable monthly]]~~>>in an amount established by ordinance of the County Commission, after receiving salary recommendations from a citizens advisory board created by the County Commission, and following public hearing by the County Commission~~<<~~ and shall be entitled to be reimbursed for such reasonable and necessary expenses as may be approved by the Board.

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<sup>1</sup>Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or ~~>>double arrowed<<~~ constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

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